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2 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
3 AT SEATTLE

4 KENNETH McGUIRE, On Behalf of Himself
and All Others Similarly Situated,
5 Plaintiff(s),

6 v.

7 DENDREON CORPORATION, et al.,
Defendant(s).

NO. C07-800MJP

ORDER ON MOTION FOR RELIEF
FROM SCHEDULING ORDER

8 This document relates to:

9 All Actions.

10 WILLIAM MOUNTANOS, PETER
11 MOUNTANOS, JAMES RYE, and TYRONE
REMINGA,
12 Plaintiff(s),

13 v.

14 DENDREON CORPORATION, et al.,
15 Defendant(s)

NO. C09-426MJP

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17 The above-entitled Court, having received and reviewed:

- 18 1. Defendants' Motion for Relief (Partial) from Scheduling Orders (Dkt. No. 133)
- 19 2. Plaintiffs' Opposition to Defendants' Motion for Relief (Partial) from Scheduling Orders
- 20 (Dkt. No. 135)
- 21 3. Defendants' Reply Brief in Support of Their Motion for Relief (Partial) from Scheduling
- 22 Orders (Dkt. No. 141)

23 and all exhibits and declarations attached thereto, makes the following ruling:

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1 IT IS ORDERED that the motion is DENIED.

2 The Court is mindful of the age of this case and the fact that the scheduling order under which
3 the parties are operating was negotiated at great length and set in place in August 2009. The stress of
4 operating a business while conducting a lawsuit is ever-present in a company involved in litigation;
5 both these often-competing concerns must be served and it is the Court's job to ensure that the
6 interests of justice and timely resolution of disputes do not take a backseat to commercial
7 considerations.

8 Defendants have known for an extended period of time that these discovery requests were
9 pending, and that requests for depositions would be made. The Court re-emphasizes its expectation
10 that the parties will cooperate in the setting of depositions.

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12 The clerk is directed to provide copies of this order to all counsel of record.

13 Dated: January 26, 2010

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16 Marsha J. Pechman
17 U.S. District Judge
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